

**Remarks**

The Examiner will note that the claims have been amended in a manner believed to address the various 35 U.S.C. §112 rejections outlined in section 1 of the Office Action. In particular, the Examiner will note that the term "planned network" has been replaced by the term "specified network" (see page 1, lines 18 to 21) and the term "objective comparison model" further defined as "a model derived from objective measures calibrated by subjective tests" (see page 13, lines 22 to 24).

An objective model may comprise an E-model, for example. The E-model is the idea and culmination of the career of Nils-Olof Johansson who was a lifelong Swedish expert in ITU-T and latterly in ETSI. The E-model was developed jointly by ETSI TM5, TE4 & BTC2 between 1993 to 1996 and is described in ETR 250 (July 96) and has been acclaimed by the ITU-T. Attached hereto for the Examiner's convenience is a pdf of a presentation providing a fuller explanation of the E-model.

The purpose of the model is:

- to predict the subjective effect of combinations of impairments using stored information on the effects of individual impairments
- to help network planners design networks
- to replace hierarchical models and apportionment, which are difficult to apply in a liberalized market

The basic principle of the model is that:

"Psychological factors on the psychological scale are additive."

The model works in transmission ratings (R) which are related to the Mean Opinion Score (MOS). Transmission ratings are objective measures calibrated by subjective tests such as, for example, taking a specified measure of voice quality in a telecommunications network, what percentage of subscribers are very satisfied,

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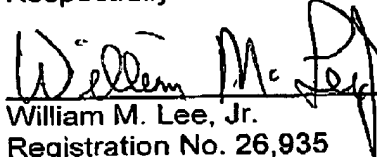
satisfied, not satisfied, etc? The present invention takes the objective model beyond its original purpose by employing it as an objective comparison model in an iterative process to output a plan for a specified data network as now more clearly set out in amended independent claims 1 and 20.

Referring now to section 2 of the Office Action, it is clear that none of the prior art references relied on by the Examiner discloses a network planning method as defined by claim 1. For example, Klassen et al (US6711137) relates to a method of evaluating an existing telecommunications network, not a specified network whose performance is modeled as in the present invention. There is nothing in the teaching of Klassen nor indeed in any of the cited references that would lead a skilled person to the method of network planning defined by claim 1 of the present application.

In view of the foregoing, the amended claims submitted herewith are considered to meet the requirements of 35 U.S.C. §112 being fully supported and described in the specification and to define an invention which is novel and non-obvious having regard to the content of the cited references. Favorable reconsideration of the claims is therefore requested.

November 18, 2004

Respectfully submitted,



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